

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 666 - SB 1493

March 23, 2021

SUMMARY OF ORIGINAL BILL: Authorizes a patient who is a disabled veteran with quadriplegia to possess and use liquid extract cannabis (LEC) oil, containing tetrahydrocannabinol (THC), if the patient possesses a letter from the patient's primary care physician. Requires the letter to attest that the patient has been diagnosed with quadriplegia, the patient's quadriplegia was acquired in connection with the patient's service in the armed forces of the United States, and confirm that the patient and primary care physician have discussed the use and risk of using LEC oil. Requires the patient to possess proof that the oil was purchased where the sale of cannabis oil is lawful.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004568, 005517): Amendment 004568 deletes and rewrites all language after the enacting clause such that the only substantive change is to remove the requirement that the letter attests that the patient and primary care physician have discussed the use and risk of using LEC oil.

Amendment 005517 deletes and rewrites language in the bill as amended by amendment 004568 to expand eligibility to a patient who is a disabled veteran with paraplegia. Requires the letter: (1) attest that the patient has been diagnosed with quadriplegia or paraplegia; (2) affirms that the physician has discussed with the patient potential risks or benefits from the use of cannabis oil to treat or alleviate the patient's symptoms associated with the patient's quadriplegia or paraplegia; and (3) attests that the patient has used lawful, United States Food and Drug Administration approved cannabinoids. Requires that the patient also have a determination from United States Veterans' Administration that the patient's quadriplegia or paraplegia was acquired in connection with the patient's service in the armed forces of the United States.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- LEC oil is derived from marijuana.

- Tenn. Code Ann. § 39-17-402(16)(A) defines marijuana as all parts of the plant cannabis, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, including concentrates and oils, its seeds or resin.
- Pursuant to Tenn. Code Ann. § 39-17-415(a), marijuana is a Schedule VI drug.
- Pursuant to Tenn. Code Ann. § 39-17-417, it is an offense to manufacture, deliver, sell, or possess a controlled substance.
- LEC is not distinguishable from other extracts produced from marijuana. This legislation authorizes possession of LEC oil; however, it would be illegal to manufacture the oil or purchase it or produce it.
- It is assumed that the number of instances in which a doctor prescribes LEC oil as a treatment regimen or in which persons would feel comfortable in producing or purchasing the oil or marijuana to manufacture the oil, would be few.
- Authorizing the possession and use of LEC oil will not result in a significant impact to the Tennessee Department of Corrections.
- According to the Department of Health, the provisions in the purposed legislation will have no fiscal impact to the Department.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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